

REMARKS

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The present amendment is submitted in response to the Office Action dated April 18, 2006, which set a three-month period for response, making this amendment due by July 18, 2006.

Claims 1-5 and 7-21 are pending in this application.

In the Office Action, claims 15-17 and 21 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,414,260 to Vogt. Claims 1, 4, 5, 7-10, and 15-21 stand rejected under 35 U.S.C. 102(b) or alternatively under 35 U.S.C. 102(a) as being anticipated by applicant admitted prior art (AAPA).

Claims 2, 3, 11 and 12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of U.S. Patent No. 5,920,014 to Waschkies.

Claims 13 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Vogt.

Amended claim 1 now defines that the sensor is "disposed at an end side of said connecting element facing an electrode arm". As amended previously, claim 1 recites that the connecting element is formed as a clamping element which is connectable with the electrode arm so that it fixes the electrode in a clamping seat.

As argued previously, the AAPA (Fig. 1) shows a connecting element comprising a sensor. The connecting element is mounted between an electrode cap and the electrode itself and therefore, is not used for connecting an electrode with an electrode arm. The transmitted ultrasound waves are to be maintained

as short as possible here (see page 19, first paragraph). The AAPA does not disclose that the connecting element is formed as a clamping element which is connectable with the electrode arm so that it fixes the electrode in a clamping seat AND the feature that that the sensor is disposed at an end side of said connecting element facing an electrode arm, as defined in amended claim 1.

The Applicants maintain that the cited patent to Vogt does not disclose a connecting element comprising a sensor, as defined in claim 1. While the Examiner relies on Vogt's Fig. 1 to show "three major features namely: the electrode, the electrode holder and the third segment (electrode arm)", the disclosure of the Vogt patent clearly discloses that the shaft 8, which is "the connecting element", is disposed between the welding electrode cap 16 and the electrode holder 6. Again, this electrode holder 6 shown in Vogt is equivalent to the electrode arm of the present invention, not the connecting element.

In Vogt, the sensor is located inside this electrode holder 6, which is equivalent to the electrode arm of the present invention. In other words, Vogt's sensor is NOT disposed inside the connecting element (the shaft 8 in Vogt), as recited in claim 1 of the present application. Rather, the sensor in Vogt is disposed in the electrode arm.

Furthermore, Vogt also does not disclose or suggest that the sensor is disposed at an end side of said connecting element facing an electrode arm, as defined in amended claim 1.

In column 4, lines 1-2, Vogt clearly discloses that the sensor (ultrasonic transmitter/receiver) is definitively located within a recess (see line 9) of the

electrode holder 6, that is, the electrode arm of the present invention. Vogt clearly shows and describes that the sensor is placed remotely from the electrode cap 16 or the connecting element (the shaft 8). Vogt does not provide any specific teaching or even suggestion of locating the sensor in a recess on the base body of the connecting element (Vogt's electrode arm).

For the reasons set forth above, the Applicants respectfully submit that the claims as amended herein define a patentably distinct set of features that is neither shown nor suggested by the cited references. Allowance of all of claims 1-5 and 7-21 is respectfully requested.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



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